



Defense POW/Missing Personnel Office

Operations Directorate — Fact Sheet

DoDI 2310.5, Accounting for Missing Personnel

ISSUE: Missing Persons Act Implementation – Accounting for Missing Personnel

BACKGROUND: The Missing Persons Act (MPA), Title 10, United States Code Sections 1501-1513 (1996), statutorily affects the entire accounting spectrum from survival training to the exhaustion of all leads regarding recovery.

The MPA affects the accounting spectrum by placing three general requirements upon the Secretary of Defense (SECDEF). First, the SECDEF must establish within OSD an office having the responsibility for DoD policy relating to missing persons. Second, the SECDEF is required to establish policies throughout DoD for personnel recovery (including search, rescue, escape, and evasion). The establishment of DPMO and the issuance of various publications concerning personnel recovery have satisfied these two requirements.

Third, the SECDEF is required to prescribe uniform DoD procedures for the determination of the status of missing persons, and the systematic, comprehensive, and timely collection, analysis, review, dissemination, and periodic update of information related to such persons. In addition, these procedures must be prescribed in a single directive applicable to all elements of DoD. The recent publication of the ninety-eight page DoD Instruction (DoDI) 2310.5, “Accounting for Missing Persons” (January 31, 2000) fulfills this third requirement and completes the implementation of the MPA

DISCUSSION:

The DoDI implements policy, assigns responsibilities, and prescribes procedures regarding missing persons to be followed by military department boards of inquiry and by officials reviewing the reports of such boards; for the determination of the status of covered persons; and for the systemic, comprehensive, and timely collection, analysis, review, dissemination, and periodic update of information related to such persons. The length of the DoDI is dictated by the fact that it meets the requirements of containing the procedures regarding missing persons for all of DoD, and is a user-friendly document that contains various aids for the user such as sample forms and schematics of the individual procedures. The contents of the DoDI follow generally the sequence found in the MPA, e.g., Enclosure 3 implements Section 1502, Enclosure 4 implements Section 1503, and so forth.

The DoDI assigns specific responsibilities to the USD (P), Assistant Secretary of Defense (Command Control, Communications, and Intelligence), Deputy Assistant Secretary of Defense for Prisoner of War/Missing Personnel Affairs, and Secretaries of the Military Departments. Pertinent and helpful definitions are provided at Enclosure 2. Implementation of the MPA accounting procedures follows the sequence of the MPA and is contained in enclosures 3-8, i.e., commander’s preliminary assessment and

recommendation (Enclosure 3); secretarial review and appointment of initial board (Enclosure 4); subsequent boards of inquiry (Enclosure 5); further review boards (Enclosure 6); case resolution files (Enclosure 7); and preenactment boards (Enclosure 8).

In addition to implementing the MPA, the DoDI at Enclosure 9 implements policy, assigns responsibility, and prescribes procedures for the Armed Forces Identification Review Board (AFIRB). Currently, the AFIRB is a creature of memorandum. Including the related procedures of the AFIRB in the DoDI gives the AFIRB permanence and clear OSD sanction

The DoDI is extremely user friendly. For example, it provides definitions to help the user understand the terminology, forms for the various boards to use for recording their actions taken, schematics that detail the individual procedures, and a variety of form letters for various officials to use in accomplishing their tasks.

Paragraph E3.1.6, and Attachment 4, of Enclosure 3 provide a discussion and pictorial representation of the relationship between Personnel Recovery and the requirements for status determination under the provisions of the MPA. In addition, it sets forth the reminder that the scope of persons for whom the United States will undertake Personnel Recovery is not limited to situations involving hostile action, for example, training exercises.

Sections 1508, 1510, 1511, and 1512 of the MPA do not require implementation.

Washington Headquarters Services, The Pentagon, is distributing the DoDI and the DoD forms contained therein on the Internet at <http://web7.whs.osd.mil/corres.htm>. Once at this site, to access the DoDI, click on "INSTRUCTIONS" under the "DoD Issuances" column and then scroll down to "DODI 2310.5". To access the associated forms, click on "LINKS TO OTHER DOCUMENTS" under the "Information" column, then click on "DoD Forms". Next, you click on "Department of Defense Forms" and then scroll down to the appropriate form (DD2809, DD2910, DD2811 or DD2812). There also is a link at the DoDI web site to the DoD forms contained in the DoDI.

The MPA statutorily affects the entire accounting spectrum. Publication of the DoDI completes implementation of the MPA. Not only does publication satisfy the legal requirements of the MPA, but it will also implement the protections of the MPA for DoD personnel who are placed in harm's way.